

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE

NIKKI BOLLINGER GRAE, Individually and) Civil Action No. 3:16-cv-02267
on Behalf of All Others Similarly Situated,)
Plaintiff,) Honorable Aleta A. Trauger
vs.) JOINT SUBMISSION REGARDING
CORRECTIONS CORPORATION OF) REVISED CASE MANAGEMENT ORDER
AMERICA, et al.,)
Defendants.)

)

Pursuant to the Court’s April 18, 2019 Order, Lead Plaintiff Amalgamated Bank, as Trustee for the LongView Collective Investment Fund (“Plaintiff”), and Defendants CoreCivic, Inc., formerly known as Corrections Corporation of America (“CoreCivic” or the “Company”), Damon T. Hininger, David M. Garfinkle, Todd J. Mullenger and Harley G. Lappin (collectively, “Defendants”), submit the following Joint Submission Regarding Revised Case Management Order.

On March 26, 2019, the Court granted Plaintiff’s Motion to Certify Class. Dkt. No. 166. Thereafter, on April 9, 2019, pursuant to Rule 23(f) of the Federal Rules of Civil Procedure, Defendants timely filed a petition for permission to appeal the Court’s certification of the class with the Sixth Circuit Court of Appeals. On April 18, 2019, the Court ordered that party-related fact discovery be stayed for 60 days and that “prior to the expiration of the stay, the parties shall jointly file a revised Proposed Case Management Order.” Dkt. No. 169.

The Sixth Circuit has not ruled on Defendants’ Rule 23(f) petition as of the date of this submission. The parties have met and conferred and agree that, given the Court’s April 18, 2019 Order staying party-related discovery, party-related¹ fact discovery in the case should remain stayed through the earlier of (i) 45 days from the date hereof or (ii) the date that the Sixth Circuit denies Defendants’ Rule 23(f) petition. The parties further agree that they will file another joint submission (i) prior to the expiration of the 45-day stay period or, (ii) in the event that the Sixth Circuit issues a decision on the Rule 23(f) petition earlier than the expiration of the 45-day stay period, within seven days of that decision. Accordingly, the parties respectfully request that the Court enter an order to this effect.

¹ Consistent with the Court’s April 18, 2019 Order, the parties agree that outstanding third-party discovery may proceed during the stay.

DATED: June 14, 2019

Respectfully submitted:

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CERTIFICATE OF SERVICE

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this 14th day of June, 2019.

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